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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/624,757

07/21/2003

Jean-Paul Mardon

12928/100161

6506

23280 7590 03/19/2009  
Davidson, Davidson & Kappel, LLC  
485 7th Avenue  
14th Floor  
New York, NY 10018

EXAMINER

PALABRICA, RICARDO J

ART UNIT

PAPER NUMBER

3663

MAIL DATE

DELIVERY MODE

03/19/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10624757	7/21/03	MARDON ET AL.	12928/100161

Davidson, Davidson & Kappel, LLC  
485 7th Avenue  
14th Floor  
New York, NY 10018

**EXAMINER**

Rick Palabrica

ART UNIT	PAPER
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3663	20090317
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DATE MAILED:

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**Commissioner for Patents**

As a follow-up to the 3/17/09 telephone interview between Ms. Danielle Sullivan and the examiner, the 11/20/2008 Office action is hereby vacated and the reissue proceeding is suspended until the Reexamination Certificate for the associated U.S. Patent 5,940,464 is issued

Following said issuance, the declaration should be amended to include an error to the patent, as amended by the re-examination, which error is corrected by the claims of the reissue. The amended claim(s) will need to be presented as starting with new claim 9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick Palabrica whose telephone number is 571-272-6880. The examiner can normally be reached on 6:00-4:30, Mon-Thurs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 17, 2009

/Rick Palabrica/  
Primary Examiner, Art Unit 3663